

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

**WILLIAM FRANKLIN DOBROVOLNY,**

Plaintiff,

**v.**

**C. K. PLILER, et al.,**

Defendants.

NO. CIV S-03-2244 FCD GGH P

**ORDER**

Findings and Recommendations with respect to both plaintiff's and defendants' summary judgment motions, recommending denial of both are pending. Within the August 5, 2005 recommendations, the court recommends that the pretrial conference and trial dates be re-set. The dates for the pretrial conference and trial set in the December 17, 2004 scheduling order are vacated. Should the findings and recommendations, filed on August 5, 2005, be adopted, new dates for the pretrial conference and for the filing of pretrial statements, as well as a trial date, will be re-set. Should the parties elect to proceed on the pretrial statements they filed on August 10, 2005 and on August 31, 2005, respectively, the parties should so inform the court once a new pretrial conference and new trial date are scheduled, which will occur if the pending findings and recommendations are adopted.

IT IS SO ORDERED.

Dated: 9/12/05

/s/ Gregory G. Hollows

Honorable GREGORY G. HOLLOWS  
United States Magistrate Judge